

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

MOISES FIGUEROA-GARCIA and JOSE ARREOLA-SAUCEDO

Defendant..

8:16CR278

ORDER

This matter is before the court on defendant's Unopposed Motion to Continue Trial [36]. Counsel is seeking additional time to negotiate a plea deal. Defendant shall comply with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [36] is granted as follows:

1. The jury trial, **for both defendants**, now set for January 24, 2017 is continued to **April 4, 2017**.

2. The defendant shall file the affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.

3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and April 4, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED January 19, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge